

The actions delineated below were taken in open session of the EPSB at the June 23, 2014, meeting. This information is provided in summary form; an official record of the meeting is available in the permanent records of the Education Professional Standards Board (EPSB), 100 Airport Road, 3rd Floor, Frankfort, KY 40601

<p style="text-align: center;">Education Professional Standards Board (EPSB) Summary Minutes of the Meeting EPSB Offices, 100 Airport Road, 3rd Floor Frankfort, Kentucky</p>
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Call to Order

Chair Cassandra Webb called the meeting to order at approximately 9:00 a.m. EDT.

Roll Call

The following Board members were present during the June 23, 2014, EPSB meeting: Brandy Beardsley, Barbara Boyd, Ellen Blevins, Tolya Ellis, Allen Kennedy, Mary John O'Hair, Michael Ross, Laura Schneider, Sandy Sinclair-Curry, Anthony Strong, Shannon Treece, Cassandra Webb, David Whaley, and April Wood. Bradley Bielski, Terry Holliday, and Marie McMillen were absent.

Board's Mission Statement

Chair Webb reminded the board of its mission statement by reviewing it with the Board and audience.

Open Speak

There were no requests for Open Speak.

Approval of Consent Items

Chair Cassandra Webb requested that Board members identify any items on the consent agenda which they wished to discuss prior to taking final action. No items were asked to be pulled for further discussion.

2014-029

Motion made by Mr. Michael Ross, seconded by Mr. Allen Kennedy, to approve the following items on the consent agenda:

Approval of April 28, 2014, EPSB Minutes

Approval of Contract

Vote: *Unanimous*

Report of the Executive Director

Report from the Council on Postsecondary Education (CPE)

Dr. April Wood informed the Board of recent events at CPE:

* Undergraduate tuition and mandatory fees for academic years 2014-16 were set and are not to exceed 5% in any one year and not to exceed 8% over two years.

* CPE has awarded 5 mini-grants for developmental education.

* The 2014 Student Success Summit was held in Louisville. There were over 300 attendees and the focus was on closing the achievement gap.

Report from the Kentucky Department of Education (KDE)

There was no report from KDE.

Update on Training for Common Core Standards

Executive Director Brown reviewed with the Board a memorandum from the EPSB's project specialist, Linda Nickel, concerning SB1. As part of SB1, the EPSB is to ensure academic standards are provided in the pre-service programs. To ensure teacher preparation programs have knowledge in the use of the Kentucky Core Academic Standards, KDE, CPE, and EPSB collaborated to create online modules and to provide training. The memorandum included a chart that represented the number of faculty reported by each teacher preparation program and the number of faculty who have received the required training in the KY Core Academic Standards. All but two institutions reported that 100% of faculty received the training.

Strategic Plan Update

Mr. Jimmy Adams presented a strategic plan progress report to the Board. It is anticipated that much of the work for Goal 4 will be completed at the board retreat in July. Goal 4 states: *By September 1, 2014, the EPSB will review policies, procedures, committee structures and responsibilities, revise where necessary, and communicate findings to appropriate stakeholders.*

Recognition of Troops to Teachers

Certification Director John Fields explained that Troops to Teachers is a federally-funded program that assists eligible military personnel in transitioning to a new career as public school teachers in "high-needs" schools. Under the direction of the EPSB's Troops to Teachers Coordinator, Wayne Eccles, the program has seen an 80% retention rate and was recently recognized as "A Most Valuable Employer" finalist in civilianjobs.com. Mr. John Fields and Mr. Robert Brown thanked Mr. Eccles for his hard work. Mr. Eccles thanked the Board for its support.

Report of the Chair

Nominating Committee Appointments for Chair and Vice Chair

Chair Cassandra Webb appointed David Whaley (chair), Brandy Beardsley, and Tolya Ellis to serve on the nominating committee for chair and vice chair.

Report from Committee to Review the Evaluation of the Executive Director

There was no report from this committee. The committee plans to have a report at the August EPSB meeting.

Information/Discussion Items

Awarded Contracts

Mr. Adams reported on recently awarded EPSB contracts.

Regulation Review for the Disciplinary Process and Procedures

Ms. Alicia Sneed stated that the Board meeting materials supplied to the Board included current regulations and statutes pertaining to disciplinary procedures. Mr. Michael Ross also presented a document to the Board. He explained that it was a two- page chart that includes information from the disciplinary process flow chart and some language that was gathered from various sources, to be used in discussing how to modify the disciplinary regulation to add disciplinary procedures to make it easier to understand the process. He said he did not feel that Board members had adequate time to review and discuss the document at the June meeting and suggested discussing the document at the July retreat. Board attorney, Angela Evans, stated that as the EPSB counsel and by just glancing through the document she had concerns and asked that the Board involve her in those conversations. She said she wants the Board to be fully informed and aware of the significance of some of the proposed changes. Chair Webb said that she wants Ms. Evans to be involved in the discussion.

16 KAR 2:120. Emergency Certification and Out-of-Field Teaching, Amendment, Notice of Intent

Mr. John Fields explained the proposed amendments to 16 KAR 2:120. The proposed amendment includes the adoption of the new certification forms, CA-4, CA-4F, and CA-4VE. All new proposed certification forms will have the CA designation to ensure a smooth transition from the prior forms to the newly designed forms. The amendment provides for the current application process to remain in effect until December 31, 2014. Beginning January 1, 2015, any applicant will need to use the CA-4, CA-4F, or CA-4VE and complete a state and federal criminal background check. This item will be brought back at the August EPSB meeting for final action.

Charter for Masters Review Committee

Dr. Kim Walters-Parker presented the proposed charter to the Board and asked if the Board wanted any revisions made to the charter. Dr. Mary John O'Hair said that she wanted the committee to examine enrollment trend data before and after to look at the market share. She also said that it is important that if a survey is conducted as is listed in the objectives for the committee, that the committee connect with a research or evaluation center to review the metrics of the survey to ensure it is valid, reliable, and useful. Dr. Walters-Parker asked if the Board would be interested in determining how many teachers pursued a content degree instead of teacher leader master's degree to see if that has changed. Dr. O'Hair said perhaps that information could be researched in the future, but she wanted this committee to focus only on the teacher leader master's degree. Chair Webb asked the Board which representatives they wanted to serve on the committee. The Board stated that they wanted public and private institutions; a research representative; a regional comprehensive university; P-12 elementary, middle, and high school teachers and administrators; teacher leader master's program completers, and the representatives should include those from rural and urban districts. A revised charter will be brought back at the August EPSB meeting for final action.

Action Items

16 KAR 9:080. University Based Alternative Certification Program, Amendment, Final Action **2014-030**

Motion made by Mr. Anthony Strong, seconded by Ms. Laura Schneider, to approve the amendments to 16 KAR 9:080.

Vote: *Unanimous*

Meeting Agenda Policy, Amendment, Final Action

2014-031

Motion made by Mr. Strong, seconded by Ms. Brandy Beardsley, to approve the amendments to the EPSB meeting policy.

Vote: *Unanimous*

Waiver

Request for Waiver of the Board's Decision to Notate Periods of Suspension and/or Revocations on Certificates When Reissued

Ms. Alicia Sneed presented a waiver request to the Board to remove the suspension dates on an individual's certificate. She said that the Board reviewed two requests to remove suspension dates in the past and the Board denied those requests. She said that removing the suspension dates would not expunge the suspension, it would just remove the suspension notation on the certificate, and the individual would still be required to say she was disciplined by the Board. The suspension would still show up online where human resource directors and superintendents would have access.

Board discussion ensued. Some board members expressed their concern in granting this waiver request due to the actions of this individual that warranted a suspension. Others were not sure they agreed with the Board's previous decision to put suspension dates on the certificates. Individuals that had suspensions prior to 2004 and signed an agreed order may not have agreed to the order had they known the suspension dates would show on their certificate. Discussion ensued on the Board's 2004 decision to add the suspension dates to the certificate and the process for requesting a waiver. Due to conversation surrounding ineffective teachers, Mr. Anthony Strong said that the EPSB needs to do more in advocating for superintendents to have more leeway and move away from tribunals. It was determined that the Board should revisit the discussion on suspension notations on certificates at a later date, possibly at the July retreat.

2014-032

Motion made by Mr. Kennedy, seconded by Mr. Strong, to deny the waiver request for Ms. Vonda Myers.

Vote: 9 – Yes

4 – No (*Barbara Boyd, Michael Ross, Laura Schneider, Cassandra Webb*)

1 – Abstain (*Mary John O'Hair*)

Alternative Route to Certification Application

John Henson: Journalism, Grades 8-12

2014-033

Motion made by Dr. Mary John O'Hair, seconded by Mr. Ross, to approve the alternate route to certification application for John Henson.

Vote: *Unanimous*

Board Comments

Chair Webb asked the Board what topics they would like to see on the retreat agenda. The following was asked to be on the agenda: committee work and policy and processes; revisit linkage and the disciplinary process including flagging certificates; next generation learning and NTEP. A retreat planning committee was appointed. The members were determined to be Mary John O'Hair (chair), Laura Schneider, Barbara Boyd, and Sandy Sinclair-Curry. The retreat may be held offsite.

Mr. Anthony Strong said that his doctoral cohort at Northern Kentucky University is going to Ontario in November and has opened this opportunity to the public. It will be November 8-15. If interested contact him for further information.

DISCIPLINARY MATTERS: MINUTES OF CASE REVIEW June 23, 2014

Motion made by Mr. Anthony Strong, seconded by Ms. Laura Schneider, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.810(1) (c) & (j).

Vote: *Unanimous*

Motion made by Mr. Allen Kennedy, seconded by Ms. Sandra Sinclair-Curry, to return to open session.

Vote: *Unanimous*

The following board members concurred with the actions as listed below with the noted exceptions:

Barbara Boyd, Cassandra Webb, Michael Ross, Ellen Blevins, David Whaley, Mary John O'Hair, Brandy Beardsley, Laura Schneider, Tolya Ellis, April Wood, Allen Kennedy, and Shannon Treece.

Attorneys present were Alicia A. Sneed, Cassandra Trueblood, Whitney Crowe, Gary Stephens, and Angela Evans.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
140271	Hear (<i>Ms. Sinclair-Curry recused</i>)
140295	Hear
1403137	Defer for training
1403145	Hear
1404222	Hear
1403209	Hear
1403139	Admonish
140111	Hear
1402122	Defer for training
1403159	Defer for training
140279	Admonish
1403143	Admonish
1403141	Hear
1403176	Defer for training
1403213	Admonish
1404226	Hear
1403195	Defer for training
1404234	Dismissed
1405285	Defer
1403191	Admonish (<i>Mr. Ross and Ms. Schneider dissented</i>)
1403164	Admonish (<i>Ms. Schneider and Ms. Ellis dissented</i>)
1403153	Hear
1403179	Hear
1403181	Hear
1402116	Admonish
140277	Hear
1403201	Hear
1403185	Hear
140267	Admonish
140128	Hear
1402132	Hear
1404220	Hear (<i>Ms. Blevins recused</i>)
1403147	Defer
1403205	Hear (<i>Ms. Blevins recused</i>)
1404241	Hear
1403173	Hear
1307547	Hear
1402118	Hear
140283	Dismissed
1402128	Admonish
1403151	Hear
1403193	Admonish

1405264	Defer for training
140281	Dismissed (<i>Ms. Blevins dissented</i>)
1212815	Dismissed
1312866	Dismissed
1312902	Admonish
140287	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
14342	Deny
14362	Approve
14381	Deny
14185	Approve
14250	Approve
14268	Approve
14285	Approve
14290	Approve
14183	Approve
14274	Approve
14323	Approve
14368	Approve
14370	Approve
14360	Approve
14367	Approve
14375	Approve
14170	Deny
14329	Deny
131085	Approve
14391	Approve
14405	Approve
14409	Approve
14402	Approve
14402	Approve
14394	Approve
14321	Approve
14412	Approve
14100	Defer
14427	Approve
14453	Approve
14456	Approve
14448	Approve
14460	Approve
14478	Approve
14466	Approve

14471	Approve
14470	Approve
14477	Approve
14499	Approve
14516	Defer
14529	Approve
14539	Approve
14487	Approve

Agreed Orders

Case Number

Decision

120137 (Sheila Lynch)

Accept Agreed Order which states that Respondent has retired and has no immediate plans to return to the education profession. Should Respondent decide to return to the classroom at some point in the future, she must comply with the following conditions prior to accepting a certified position:

1. Respondent must provide written proof to the Board that she has completed twelve (12) hours of classroom management training, as approved by the Board.
2. Respondent must provide written proof to the Board that she has completed twelve (12) hours of training on The Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board.

Any expense involved in meeting these requirements shall be paid by Respondent. If Respondent fails to satisfy these conditions, her certificate shall be automatically suspended until all conditions are met.

Vote: *Unanimous (Ms. Sinclair-Curry recused)*

1303196 (William Rye)

Accept Agreed Order in which Respondent voluntarily surrenders his teaching and administrative certificates. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

120185 (Laura Szekeley)

Accept Agreed Order reminding Respondent that, as a certified educator in the Commonwealth of Kentucky, she shall keep in confidence information about students which has been obtained in the course of professional service and shall treat students and parents with dignity and respect at all times. In the future, Respondent shall be more cautious in handling situations that may jeopardize her duties under the Professional Code of Ethics for Certified School Personnel.

Respondent is currently retired. Prior to or within one (1) year of accepting any teaching and/or administrative position in the Commonwealth of Kentucky, Respondent shall provide written proof to the Board that she has successfully completed twelve (12) hours of training or professional development, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel with an emphasis in confidentiality. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

Vote: *Unanimous*

140246 (Matthew Wohlfarth)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Professional Code of Ethics for Kentucky Certified School Personnel requires Respondent to exemplify behaviors which maintain the dignity and integrity of the profession. The Board reminds Respondent that he has an ethical duty to treat students with respect and to maintain a high level of professionalism at all times. The Board will not tolerate any further incidents of misconduct from Respondent.

On or before January 1, 2015, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel, which shall include instruction on appropriate teacher/student boundaries. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, his certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent completes the

required training and provides the appropriate written proof to the Board.

Vote: *Unanimous*

1307513 (Kenneth Head)

Accept Agreed Order suspending Respondent's certificate for six (6) months. This suspension shall be from July 23, 2013, to January 2, 2014, and from July 1, 2014, through July 21, 2014. Respondent shall immediately surrender the original and all copies of this certificate, by first class mail or personal delivery, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

On or before August 1, 2014, Respondent shall present written evidence to the Board that he has completed the following.

1. Twelve (12) hours of professional development/training, approved by the Board and at his own expense, in professional ethics; and
2. SPED 545/745, a course in which he is currently enrolled at Eastern Kentucky University. Completion of this course is at his own expense.

Should Respondent fail to satisfy these conditions by August 1, 2014, his certificate shall be automatically suspended and remain so until all conditions are met.

For three (3) years from the date of acceptance of this Order by the Board, Respondent's certificate shall be subject to the following probationary conditions.

1. Respondent shall submit annual year-end reports from the Director of Special Education from his employing school district confirming that Respondent is complying with all regulations and statutes related to special education policy and procedures.
2. On or before August 1 of 2015, 2016 and 2017, Respondent shall submit written proof to the Board that he has completed six (6) hours of professional development/training in special education policies and procedures. This training shall be approved by the Board and completed at Respondent's expense.
3. Respondent shall not be disciplined by any school district for conduct that would be deemed a violation of KRS 161.120. Discipline shall be defined for the purposes of this agreement as any district sanction appealable pursuant to KRS 161.790, that Respondent either accepts or appeals and that appeal results in a tribunal finding that imposes a public reprimand, suspension or termination.

If Respondent fails to satisfy or violates any of these conditions, the Board shall automatically suspend his certificate for a period of two (2) years and may seek additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

1308633 (Matthew Bowling) Accept Agreed Order revoking Respondent's certificate. Respondent shall immediately surrender the original and all copies of this certificate to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. Respondent shall neither apply for nor be issued a teaching certificate in the Commonwealth of Kentucky for the remainder of his lifetime.

Vote: *Unanimous*

131232 (John Amann) Accept Agreed Order which states that upon acceptance of this agreement by the Board, Respondent shall be issued a Kentucky teaching certificate upon providing proof that he has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that he has complied with the assessment process. Any expense for the assessment and written reports shall be paid by Respondent.
2. Respondent shall submit written proof to the Board that he has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense required for said training shall be paid by Respondent.

Any and all certificates issued to Respondent shall be subject to the following conditions:

1. If Respondent's chemical dependency counselor makes any treatment recommendations, Respondent shall comply with the treatment recommendations. Respondent shall submit quarterly written progress reports from his counselor to the Board until such time as the counselor releases him from treatment. Any expense for the treatment and/or written reports shall be paid by Respondent. Failure to comply with this condition will

result in Respondent's certificate being automatically suspended until Respondent is in compliance.

2. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) involving the use and/or possession of any controlled substance or alcohol. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use and/or possession of any controlled substance or alcohol, he shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Respondent's certificate being automatically suspended pending Board review and disposition.

3. Respondent shall submit a copy of his current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of his certification(s) and/or for additional certification(s). Any expense required to satisfy this condition shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on his behalf.

Vote: *Unanimous*

1108647 (Charles Mitchell) Accept Agreed Order permanently revoking Respondent's teaching certificate. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1306422 (Joy Cunningham) Accept Agreed Order suspending Respondent's certificate for a period of thirty (30) days beginning June 15, 2014. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. Additionally, Respondent must provide written proof, on or before November 1, 2014, that she has completed twelve (12) hours of Board-approved training/professional development in the area of educator ethics. Any expense

for this training shall be paid by Respondent. Should Respondent fail to provide proof of this training by November 1, 2014, her certificate shall be suspended and will remain suspended until she provides proof of the training.

Vote: *Unanimous*

1106395 (Matthew Hall)

Accept Agreed Order permanently revoking Respondent's teaching certificate. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

140248 (Steven French)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Board reminds Respondent that, as a teacher, he has a duty to uphold the dignity and integrity of the teaching profession. Driving under the influence of alcohol is not only dangerous; it is also a horrible example to set for students. The Board will tolerate no further incidents of misconduct by Respondent. On or before October 1, 2014, Respondent shall provide written proof from a licensed and Board approved alcohol/substance abuse counseling program that he has been assessed and complied with all recommended treatment. Any expense for said assessment and treatment shall be paid by Respondent. Failure to comply with this requirement by October 1, 2014 will result in an automatic suspension of Respondent's teaching certificate and it will remain suspended until he completes the training requirements contained in this Agreed Order.

Vote: *Unanimous*

1303238 (Jennifer Alexander)

Accept Agreed Order admonished Respondent. As an educator, Respondent has a duty to treat all students with dignity and respect. An educator also has a duty to protect the health, safety, and emotional well-being of students. The Board will tolerate no further acts of misconduct by Respondent.

Respondent plans to retire from teaching effective July 1, 2014. Should Respondent decide to return to the education profession in the future, she must provide written proof to the Board that she has received twelve (12) hours of Board-approved professional development/training in the area of classroom management prior to accepting a certified position. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition, her certificate will be suspended and shall remain suspended until she provides proof that the condition has been met.

Vote: *Unanimous*

1303236 (Maxine Hornback)

Accept Agreed Order admonishing Respondent for providing her students with answers to the Science Proficiency Assessment prior to the exam. The Board reminds Respondent that she has a duty to follow all administrative procedures related to student testing for the well-being of the students and for the integrity of the testing process. The Board will tolerate no further acts of misconduct by Respondent.

Additionally, Respondent's certificate, including any endorsements and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of two (2) years beginning February 15, 2013:

1. Respondent shall provide written proof to the Board, on or before October 1, 2014, that she has received three (3) hours of CATS training and six (6) hours of ethics training. Should Respondent violate this condition, her certificate shall be suspended and will remain so until the condition is met. Any expense incurred for said training shall be paid by Respondent.

2. Should Respondent commit any further violation of testing regulations and/or procedures during the two (2) year probationary period, her certificate shall be automatically suspended for a period of two (2) years. If the violation includes new allegations of misconduct pursuant to KRS 161.120, the Board may open a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1108641 (Michael Bowling)

Accept Agreed Order which states that Respondent shall provide written proof, on or before December 1, 2014, that

he has completed a professional development/training course in the area of recognizing and reporting dependency, neglect, and abuse of children. Any expense for this training shall be paid by Respondent. Upon successful completion of the training by Respondent, Case number 1108641 shall be dismissed.

Vote: *Unanimous*

130183 (Cassandra Curry)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. Respondent must not allow her personal life to affect her duties as an educator. Respondent must also refrain from sending personal text messages during school hours. The Board will tolerate no further acts of misconduct by Respondent. This agreement is expressly conditioned upon Respondent providing written proof to the Board, by May 1, 2015, that she has received twelve (12) hours of Board-approved professional development/training in the area of educator ethics. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to provide proof of this requirement, her certificate will be suspended and shall remain suspended until she provides proof that the condition has been met.

Vote: *Unanimous*

1211715 (Jerry Walker)

Accept Agreed suspending Respondent's certificate for a period of six (6) months beginning August 1, 2013. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. Prior to the reinstatement of Respondent's certificate at the conclusion of the six (6) month suspension period, Respondent shall comply with the following:

1. Respondent shall provide written proof to the Board that he has been assessed by a state certified mental health counselor, as approved by the Board, and is competent to fulfill his duties as an educator. Respondent shall provide proof that he has complied with any treatment recommendations proposed by the mental health counselor and shall continue to provide treatment records to the Board until he has been released from treatment by the counselor. Any expense incurred for the assessment or

follow-up treatment shall be paid by Respondent. If Respondent fails to satisfy this condition, his certificate will not be reinstated.

2. Respondent must submit a copy of his current criminal background check. If there are any new convictions, other than minor traffic violations, Respondent's certificate will not be reinstated.

Upon reinstatement, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of five (5) years from the date of issuance:

1. Respondent shall complete all requirements of the diversion agreement in Calloway Circuit Court Case No. 12-CR-000116. Should Respondent fail to successfully complete the diversion program, his certificate shall be revoked.

2. On or before July 1 of each year of the probationary period, Respondent must submit a current copy of his criminal background check. If there are any new convictions, other than minor traffic violations, Respondent's certificate will be revoked.

3. Respondent shall comply with any and all recommendations from the mental health assessment for reinstatement. Should Respondent fail to satisfy this condition, his certificate shall be suspended until such time that the proof has been provided that he has completed the recommendations.

4. Respondent shall provide written proof, on or before December 1, 2014, that he has completed twelve (12) hours of professional development/training in the area of educator ethics. Any expense for this training shall be paid by Respondent.

Vote: *Unanimous*

1340271 (Linda Rudolph)

Accept Agreed Order admonishing Respondent for violating the *Administration Code for Kentucky's Educational Assessment Program*. The Board reminds Respondent that she has a duty to follow all administrative procedures related to student testing for the well-being of the students and for the integrity of the testing process. The Board will tolerate no further acts of misconduct by Respondent.

Respondent has provided proof that she has completed twelve (12) hours of Administrative Code Training.

Vote: *Unanimous*

1107517 (Addison James)

Accept Agreed Order subjecting Respondent's certificate to the following probationary conditions for a period of twelve (12) months beginning January 1, 2014:

1. Respondent must provide written proof, on or before December 1, 2015, that he has completed three (3) hours of Board-approved training/professional development in the area of educator ethics. Any expense for this training shall be paid by Respondent. Should Respondent fail to provide proof of this training by December 1, 2015, his certificate shall be suspended and will remain suspended until he provides proof of the training.

2. Respondent shall receive no disciplinary action involving student/teacher boundaries. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. Should Respondent violate this condition, his certificate shall be automatically suspended for a period of six (6) months and subject to additional sanctions by the Board pursuant to KRS 161.120.

Respondent is aware that should he violate KRS 161.120 either during or following this eighteen month period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1307495 (Herman Williams) Accept Agreed Order which states that Respondent's certificate shall be sanctioned as follows. The Professional Certificates for Instructional Leadership - Middle Grade School Principal and Secondary School Principal are suspended for a period of one (1) year from the date of acceptance of this Order by the Board. The Standard Certificate for Teaching in the Middle Grades 5-8 shall remain intact. Respondent shall surrender the original and all copies of his certificate, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. The Office of Certification will then reissue the certificate with the suspensions noted. Reinstatement of Respondent's certificate is conditioned upon the following. Respondent shall submit written proof to the Board that he has successfully completed the following, each approved by the Board and at his own

expense.

1. Redbook training; and
2. Twelve (12) hours of ethics training.

Should Respondent fail to satisfy these conditions, Respondent's certificate shall remain suspended until the conditions are met.

Vote: *Unanimous*

1107529 (Jeff Vincent)

Accept Agreed Order which states that Respondent is not currently teaching and has no foreseeable need for a teaching certificate. As a result, Respondent voluntarily agrees that he will not seek or accept any position of employment in Kentucky that requires teaching certification. Respondent further agrees that he will not seek renewal and/or certification following the expiration of his certificate in 2018. Should Respondent violate this agreement, his certificate shall be automatically suspended for its remainder and/or any application for certification shall be denied.

Vote: *Unanimous (Ms. Treece recused)*

1109667 (Danny Price)

Accept Agreed Order which states that Respondent's certificate shall be sanctioned as follows. The Professional Certificates for Instructional Leadership - Principal, All Grades, Level 2, and School Superintendent are suspended for a period of two (2) years beginning November 4, 2011. The Provisional Certificate for Teaching in the Secondary Grades 9-12 (And For Departmentalized Grades 7-8 In Field) shall remain intact. Respondent shall surrender the original and all copies of Respondent's certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. The Office of Certification will then reissue Respondent's certificate with the suspension noted.

On or before August 1, 2014, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of professional development/training in ethics and boundary issues, approved by the Board and at his own expense. Should Respondent fail to satisfy this condition, Respondent's certificate shall be automatically suspended and remain so until this condition is met.

Upon entry of this Order, Respondent's certificate shall be

subject to the following probationary condition for the life of the certificate. Respondent shall not be disciplined by any school district for any conduct which violates KRS 161.120 and/or 16 KAR 1:020. Discipline shall be defined as a public reprimand, suspension, or termination either uncontested by Respondent or upheld by either the tribunal or arbitration process, if requested. If Respondent violates this condition, the Board shall automatically suspend his certificate for a period of two years and may seek additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

140117 (Terri New)

Accept Agreed Order reminding Respondent that each citizen of the Commonwealth of Kentucky has a duty to report child dependency, neglect, or abuse pursuant to KRS 620.020. Although the Board understands that it is difficult to report a fellow educator, the health, safety, and emotional well-being of students should be an educator's primary concern.

In addition, Respondent shall provide proof that she has completed training regarding the reporting requirements of KRS 620.020 provided by either the Kentucky Cabinet for Health and Family Services, Prevent Child Abuse Kentucky, or a comparable training approved by the Board by January 1, 2015. Any expense for the counseling or training shall be paid by Respondent. If Respondent fails to provide proof of completion of this training by January 1, 2015, her certificate shall be suspended until the Board receives proof of completion of the training is received. Respondent is aware if she should have any future violations of KRS 161.120, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1312887 (Sarah Easterling)

Accept Agreed Order which states that the Division of Certification is ordered to delete Respondent's certification to teach Moderate and Severe Disabilities, Grades Primary Through 12. The Division of Certification shall issue Respondent a new certificate reflecting the deletion of the above certificate area. Upon acceptance of this order, Respondent shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

Additionally, Respondent's certificate shall be subject to the following probationary conditions:

1. Respondent shall provide written proof to the Board that she has received eight (8) hours of professional development/training in the area of ethics, as approved by the Board, no later than January 1, 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by January 1, 2015, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

2. Respondent agrees to not reapply for certification to teach Moderate and Severe Disabilities, Grades Primary Through 12 at any time in the future. Additionally, Respondent shall not apply, nor be issued, a waiver to allow her to teach exceptional students outside her certification area for Learning and Behavior Disorders, Grades Primary Through 12.

Respondent is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1310731 (Jeffrey Jennings) Accept Agreed Order admonishing Respondent for neglecting his duty to comply with state school laws and district policies regarding the reporting and documentation of bullying incidents within his school district. KRS 158.440 requires that every student have access to a safe learning environment, and it is an administrator's ethical duty to take reasonable steps to protect the health, safety and emotional well-being of all students. Reasonable steps would include following the proper procedures for reporting and/or documenting incidents of bullying to the proper authorities, as set forth in KRS 158.444 and District Board Policies 09.422 and 09.2211. Only when the procedures are followed can a district take the steps necessary to properly address and prevent future incidents of bullying. While the Board recognizes that an administrator cannot prevent every incident of bullying within his school, the Board expects Respondent to comply with the procedures in place.

As of July 1, 2014 Respondent will be a retired educator. Before Respondent may return to the Kentucky public school system in any capacity, he shall provide written proof to the Board that he has successfully completed six

(6) hours of professional development or training in Ethics, and six (6) hours of professional development or training in bullying prevention, which shall include a component on investigation. Any expense incurred for said training shall be paid by Respondent.

Respondent agrees that should he fail to complete the required training before returning to the Kentucky public school system, his certificate, and any future endorsements or new areas of certification, shall be automatically suspended until such training is completed and the appropriate written proof is provided to the Board.

Vote: *Unanimous*

1308590 (Sean Jackson)

Accept Agreed Order suspending Respondent's certificate retroactively for fifty (50) days from June 9, 2011 through July 29, 2011. Respondent shall surrender the original and all copies of his certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

The Board acknowledges that Respondent has accepted responsibility for his actions and self-reported his conviction to the Board.

Any certificate the Board has issued or will issue to or on behalf of Respondent, shall be subject to the following probationary conditions.

1. Respondent agrees to testify truthfully in EPSB disciplinary case number 1211674.

2. Respondent shall maintain sobriety. Respondent shall continue to seek treatment by regularly attending meetings of Alcoholics Anonymous and receiving related counseling services.

3. Respondent shall have no further criminal convictions involving alcohol or endangering the lives of others. Respondent shall submit a state criminal background records report to the Board with all future applications for certification or certification renewal. Any expense for the state criminal background records report shall be paid by Respondent. If Respondent is convicted for any crime involving alcohol, any and all certificates issued to Respondent shall be automatically suspended and a new disciplinary case initiated.

4. Respondent shall have no disciplinary actions involving use of alcohol by any school district. The parties agree that "disciplinary action" is defined as any public reprimand,

suspension or termination issued by any school district or state agency and upheld after a due process hearing if requested by Respondent. If Respondent receives any disciplinary actions involving the use of alcohol or any controlled substance, any and all certificates issued to Respondent shall be automatically suspended and a new disciplinary case initiated.

Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous (Mr. Ross recused)*

- 1304265 (Melissa Belcher)
- Accept Agreed Order suspending Respondent's certificate for a period of forty (40) days from the date upon which the Board approves this agreement. Respondent shall neither apply for nor be issued a teaching certificate in the Commonwealth of Kentucky during the suspension period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate to the EPSB by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.
- Respondent is hereby admonished for endangering the health, safety, and welfare of students. Respondent is reminded that she is not a medical professional and that she lacks the expertise necessary to dispense medication. Medication administration procedures are in place to protect the safety and well-being of students, and circumventing these procedures is inappropriate and dangerous. The Board will tolerate no further acts of misconduct by Respondent.
- Respondent's certificate shall be subject to the following probationary conditions for a period of five (5) years from the date upon which the Board approves this agreement:
1. Respondent has provided written proof to the Board that she has successfully completed Medication Administration Training for Unlicensed School Personnel through the Kentucky Department for Public Health.
 2. On or before July 1, 2014, Respondent shall provide written proof to the Board that she has successfully completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to comply with the

requirements of this paragraph on or before July 1, 2014, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

3. For the entirety of the probationary period, Respondent shall receive no disciplinary action. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. If Respondent fails to comply with the requirements of this paragraph, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended for a period of sixty (60) days.

Respondent is aware that should she violate KRS 161.120, either during or following this five (5) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1203166 (Dustin Cox)

Accept Agreed Order suspending Respondent's certificate for a period one (1) year, from the date the Board approves this Order. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. Respondent is admonished for conduct unbecoming a teacher. The Board reminds Respondent that, as a teacher, he has a duty to uphold the dignity and integrity of the teaching profession. Driving under the influence of alcohol is dangerous, and this type of behavior sets a horrible example for students. The Board will not tolerate any further incidents of misconduct by Respondent.

In addition to any educational requirements, reinstatement of Respondent's certificate at the conclusion of the suspension is expressly conditioned upon the following:

1. Respondent shall provide written proof to the Board that he has completed a comprehensive alcohol/substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, as approved by the Board.

Respondent shall also submit written proof to the Board that he has successfully completed any and all treatment recommendations proposed by the counselor. Any expense

for the assessment, treatment, and/or written reports shall be paid by Respondent.

2. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional ethics training, as approved by the Board. Any expense required for said training shall be paid by Respondent.

Should Respondent fail to satisfy either of these conditions, Respondent's certificate shall not be reinstated.

Upon reinstatement, Respondent's certificate shall be on probation for a period of three (3) years and subject to the following probationary conditions:

1. In accordance with KRS 161.175, Respondent shall submit to random drug testing during the probationary period, to be administered by a provider approved by the Board, and shall receive no drug test positive for illegal substances or in excess of therapeutic levels generally acceptable in the medical community. Any expense required for the drug testing shall be paid by Respondent.

2. Respondent shall not be convicted of any crime involving the use and/or possession of any controlled substance or alcohol during the probationary period.

Respondent shall submit a copy of his current criminal record, as prepared by the Administrative Office of the Courts, by July 1st of each year of the probationary period. Any expense required to satisfy this condition shall be paid by Respondent.

Should Respondent fail to satisfy any of the above conditions, Respondent's certificate shall be automatically suspended for a period of two (2) years and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

CF14142 (Cheryl Barnett)

Accept Agreed Order which states that upon acceptance of this agreement by the Board, Respondent shall be issued a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

Respondent shall submit written proof to the Board that she has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense required for said training shall be paid by Respondent.

Any and all certificates issued to Respondent shall be

subject to the following conditions:

1. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge other than minor traffic violations, she shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Respondent's certificate being automatically suspended pending Board review and disposition.
2. Respondent shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of her certification(s) and/or for additional certification(s). Any expense required to satisfy this condition shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on her behalf.

Vote: *Unanimous*

CF13852 (Ashlee Saltsman) Accept Agreed Order which states that upon acceptance of this agreement by the Board, Respondent shall be issued a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Respondent shall provide written proof to the Board that she has complied with the terms in the Order Granting Pretrial Diversion, and Jefferson Circuit Court Case 08-CR-1704 has been dismissed.
 2. Respondent has provided written proof to the Board that she has completed a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor.
 3. Respondent shall submit written proof to the Board that she has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense required for said training shall be paid by Respondent.
- Any and all certificates issued to Respondent shall be subject to the following conditions:

1. Respondent shall not be convicted of nor enter a guilty or

no contest plea to any criminal charge(s) involving the use and/or possession of any controlled substance or alcohol. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use and/or possession of any controlled substance or alcohol, she shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Respondent's certificate being automatically suspended pending Board review and disposition.

2. Respondent shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of her certification(s) and/or for additional certification(s). Any expense required to satisfy this condition shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on her behalf.

Vote: *Unanimous*

1211649 (Thomas Walling) Accept Agreed Order admonishing Respondent. A teacher in the Commonwealth of Kentucky has a duty to protect the health, safety, and emotional well-being of students. An educator should only use physical interventions with a student as a last resort to protect the student, to protect the educator, or to protect others from harm. The Board reminds Respondent that as a teacher, he has a duty to maintain the dignity and integrity of the profession and to set a positive example for his students. The Board will not tolerate any further incidents of misconduct from Respondent.

This settlement agreement is expressly conditioned upon the following:

1. Respondent shall complete six (6) hours of professional development or training in the area of classroom management.

2. Respondent shall complete twelve (12) hours of educator ethics professional development or training, with a focus on the Professional Code of Ethics for Kentucky Certified School Personnel.

3. Respondent shall complete the Kentucky Department of Education's restraint and seclusions training entitled *Promoting Positive Behavior in Schools*.

All training must be approved by the Board. Respondent must provide written proof to the Board that he has

completed the training by June 1, 2015. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to meet any of the requirements listed above, his certificate shall be automatically suspended until Respondent provides written proof to the Board that he has completed the conditions. Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

Recommended Order

Case Number

Decision

110276 (Amanda Henry)

Accept the Hearing Officer's Recommended Order of Default and Permanently Revoke Respondent's certificate.

Vote: *Unanimous*

Motion made by Ms. Schneider, seconded by Ms. Sinclair-Curry, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 1:00 p.m.

Next Meeting:

**August 11, 2014
9:00 AM
EPSB Board Room
Frankfort, Kentucky**